

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF APPEALS**

ATTORNEY DOCKET NO.

124463-2

IN RE APPLICATION OF

HARRY K. MATHEWS, JR., ET AL
**RECEIVED
CENTRAL FAX CENTER**
SEP 02 2004

SERIAL NUMBER

10/063,950

FILED

05/29/02

FOR

**METHOD AND APPARATUS FOR DETECTING
HOT RAIL CAR SURFACES**

GROUP ART UNIT

2636

EXAMINER

B. SWARTHOUT

To the Assistant Commissioner for Patents:

Applicant hereby appeals to the Board of Appeals from the decision dated 05/06/04 of the
 Examiner finally rejecting claims 1 and 10

The \$330.00 Appeal Fee is:

- enclosed
- not required (fee paid in prior appeal in this application).
- requested to be charged to Deposit Account No. 07-0868.
(Three copies of this Notice are enclosed herewith.)

(signature) [note 37.CFR 1.191(b)] DAVID C. GOLDMAN

Reg. No. 34,336

9/2/04
 (date)

I hereby certify that this correspondence is being facsimile transmitted to Examiner Brent Swarthout in Group Art Unit 2636 at the United States Patent & Trademark Office (703-672-9303) on September 2, 2004 (3 page) By: Vivian D. Beaman

Signature:

CRD Pat. Form 5 (1/03)